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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

GRADY JACKSON, in his representative  
capacity pursuant to Cal. Bus. & Prof. Code  
§§17203, 17535 and Cal. Code Civ Pro. §§  
382, 1021.5,

Plaintiffs

v.

BALANCED HEATH PRODUCTS, INC., a  
Delaware Corporation; NIKKI HASKELL, an  
individual; GENERAL NUTRITION  
CORPORATION, a Pennsylvania Corporation,  
GENERAL NUTRITION CENTERS, INC., a  
Pennsylvania Corporation; GREAT EARTH  
COMPANIES INC., a Delaware Corporation;  
VITAMIN SHOPPE INDUSTRIES, Inc., a  
New York Corporation; and DOES 1–50,  
inclusive,

Defendants.

**CASE NO. C 08-05584-CW**

*Unlimited Civil Case*

**STIPULATION TO DISMISS  
DEFENDANT GREAT EARTH  
COMPANIES INC. WITHOUT  
PREJUDICE PURSUANT TO F.R.C.P.  
§ 41; and, ORDER**

1 Plaintiff Grady Jackson and Defendant Great Earth Companies, Inc., by and through  
2 undersigned counsel, hereby stipulate pursuant to Federal Rule of Civil Procedure §41 to dismiss  
3 this matter without prejudice against Defendant Great Earth Companies, Inc. only. Defendant  
4 Great Earth Companies, Inc. has not yet filed a responsive pleading to the Complaint in this  
5 matter.

6  
7  
8  
9 DATED: February 12, 2009

PINNACLE LAW GROUP LLP

10 By: /s/ Eric J. Farber  
11 Eric J. Farber  
Attorneys for Plaintiff

12 DATED: February 12, 2009


LAW OFFICES OF JAY GELLAR

13  
14 By: /s/ Jay Gellar  
15 Jay Gellar, Esq.  
16 Specially appearing on behalf of  
17 Defendant Great Earth Companies, Inc.

18 **ORDER**

19 Good cause appearing, the complaint against Defendant Great Earth Companies, Inc. is  
20 hereby Dismissed without Prejudice.

21  
22 2/18/09  
23 Dated: \_\_\_\_\_

24   
25 \_\_\_\_\_  
26 The Honorable Claudia Wilken  
27 Judge of the United States District Court  
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